
From: Labiosa, Rochelle
To: Wu, Jennifer
Sent: 5/9/2014 3:16:43 PM
Subject: RE: Where Riparian Rule Applies

Not at all, Jenny!

Ex. 6 - Personal Privacy

I am just about to send the riparian rules writeup I mentioned – we can discuss on Monday.

I will also send the TMDL writeup shortly.

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From: Wu, Jennifer
Sent: Friday, May 09, 2014 12:00 PM
To: Labiosa, Rochelle
Subject: RE: Where Riparian Rule Applies

Ex. 6 - Personal Privacy

From: Labiosa, Rochelle
Sent: Thursday, May 8, 2014 3:46 PM
To: Henning, Alan; Wu, Jennifer
Subject: RE: Where Riparian Rule Applies

Hi Jenny,

Like we discussed on the call this AM, here is how I would edit:

This is where we heard that DEQ and ODF would apply the Riparian Rule, and we want to make sure we have a clear understanding of how DEQ and ODF are proceeding:

- 1) Wherever threatened and endangered (T&E) species exist or could exist based on ODFW distribution maps;
- 2) Additional areas where T&E species exist up to a natural barrier if such areas were excluded from the original ODFW maps;
- 3) Additional areas upstream of where T&E species exist or have existed, such that riparian cuts upstream of these areas will not result in more than a 0.3C cumulative impact downstream where T&E species are present;
- 4) Rules will also apply to where there is critical habitat.

Please edit or clarify the above where needed. Do they have plans to write down their methods or otherwise capture them? It sounds like they are creating maps to discuss with the public. Is that the case?

[we will not include anything about our interpretation at this point – we need more clarity]

From: Henning, Alan
Sent: Wednesday, May 07, 2014 4:04 PM
To: Wu, Jennifer; Labiosa, Rochelle
Subject: RE: Where Riparian Rule Applies

Jenny and Rochelle,

Ex. 5 - Deliberative

In addition, attached is a list of questions from one of the Board of Forestry members that will be addressed at the Board's workshop. Addressing the questions will help the newer Board members get up to speed on the history of the riparian rule and PCW. These are questions we want to be prepared to answer for the Board Meeting on 6/23. Take a look and we'll set up a time to talk about the them. We do have an opportunity to add questions to this list. Keep that in mind when reviewing the questions. Also, it is highly likely that other Board members will have a list of questions for the discussion as well.

Alan

From: Wu, Jennifer
Sent: Wednesday, May 7, 2014 1:29 PM
To: Labiosa, Rochelle; Henning, Alan
Subject: Where Riparian Rule Applies

Hi Rochelle and Alan,

Here's where I heard DEQ and ODF would apply the Riparian Rule.

- 1) Where threatened and endangered (T&E) species existed or have existed based on ODFW distribution maps;
- 2) Maps will also be expanded to include areas where T&E species exist up to a natural barrier;
- 3) Riparian Rule will extend upstream of where T&E species exist or have existed, such that riparian cuts upstream of these areas will not result in a 0.3oC impact downstream where T&E species are present;
- 4) Rules will also apply where there are critical habitat.

If this is the case, I think in our meetings in EPA, we agreed that these areas would cover where PCW apply and would be reasonable from a Clean Water Act perspective. I suggest we send this to DEQ and have them either add to this or send their own information on where they plan to apply their Riparian Rule. Thoughts?

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